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COBRAsource Inc. and John Blaida

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
VICINAGE OF NEWARK**

HOSS DAHI and ELAINE DAHI,

Plaintiffs,

vs.

REFRIGERATED HOLDINGS, INC.;
GEMINI TRAFFIC SALES, INC.; EAST
COAST WAREHOUSE & DISTRIBUTION
CORP.; DANIEL SOKOLOWSKI; ROB
ADAMS; JOHN BIBLIS; TRACY STONE;
FENWAY PARTNERS LLC; PETER LAMM;
RICHARD DRESDALE; CLARA RIVERA
PACHECO; MARK HENDRICKS; ALSTON
& BIRD LLP; KIMBERLY L. FOGARTY,
ESQ.; CORRADO GIGANTE; R. WATSON;
JOHN BLAIDA; COBRASOURCE INC.;
JESSIKA COLE; INFINISOURCE, INC.,

Defendants.

CASE NO.: 10-cv-6297-CCC-JAD

Civil Action

**NOTICE OF MOTION TO DISMISS IN
LIEU OF ANSWER PURSUANT TO
FED. R. CIV. P. 12(b)(6)**

MOTION RETURN DATE:
SEPTEMBER 19, 2011

TO: CLERK OF THE COURT

Hoss Dahi and Elaine Dahi, *pro se*
22A, 22R Wesley Street
Monmouth Beach, NJ 07750

PLEASE TAKE NOTICE that on September 19, 2011, the undersigned counsel, Marion B. Johnson, on behalf of defendants COBRASource Inc. and John Blaida (collectively referred to as the "COBRASource Defendants"), shall move before the Honorable Claire C. Cecchi, D.J., in the United States Court House, Newark, New Jersey, pursuant to Fed. R. Civ. P. 12(b)(6), for an Order dismissing Plaintiffs' Second Amended Complaint with prejudice, as against each of the COBRASource Defendants.

It is respectfully requested that the Court rule upon the moving papers submitted, without requiring appearance of counsel, pursuant to Fed. R. Civ. P. 78(b).

The COBRASource Defendants have filed, simultaneously with this Motion, a Brief in accordance with LR 7.2 setting for the legal and factual reasons supporting the relief sought herein. A proposed form of Order is attached hereto.

Dated: August 8, 2011

Respectfully submitted,

John Blaida and COBRASource, Inc.

By s/Marion B. Johnson
Marion B. Johnson
Their Attorney

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